Applicant respectfully requests reconsideration of this application. Claims 1-36 are pending. Claims 1, 9, 16, and 24 have been amended. No claims have been cancelled or added.

Therefore, claims 1-36 are now presented for examination.

Claim Objections

The Examiner objected to claims 9-15 based on the extraneous comma found in claim 9. Claim 9 has been amended to add a phrase for which the comma is needed, and thus the claim has been corrected.

The Examiner objected to claims 24-30 and 35-36 based on the word "to" following "on a first bus" in claim 24, which was mistakenly left in the claim in a prior amendment. An amendment to remove the extra word is presented herein.

Claim Rejection under 35 U.S.C. §102

Lin, et al.

The Examiner rejected claims 1-2, 4-6, 8-11, 13-14, 16-17, 19-21, 23-26, 28-29 and 35-36 under 35 U.S.C. § 102 (b) as being anticipated by U.S Patent 6,421,798 of Lin, et al. (hereinafter referred to as "*Lin*").

Claim 1, as amended herein, reads as follows:

1.   A circuit comprising:

a first device coupled with a first bus, wherein the first device is
not compliant with a standard, the first device containing
data, wherein the data is not operational for the circuit with
a device that is not compliant with the standard;

a second device coupled with a second bus, wherein the second device is compliant with the standard, the second device to be associated with the data from the first device, the association of the second device with the data from the first device enabling the data from the first device to be utilized according to the standard; and

a memory to receive the data from the first device.

Thus, claim 1 provides for a first device coupled with a first bus, with the first device not being compliant with a standard, and a second device coupled with a second bus, with the second device being compliant with the standard. However, as clarified herein, claim 1 also provides that "the data is not operational for the circuit with a device that is not compliant with the standard", and "the second device to be associated with the data from the first device, the association of the second device with the data from the first device enabling the data from the first device to be utilized according to the standard". It is submitted that, in addition to other differences, that *Lin* does not provide for data that is not operational for the circuit with a device that is not compliant with a standard to be associated with a second device that is compliant with the standard, with the association of the second device with the data from the first device enabling the data to be utilized according to the standard.

Lin relates to chipset-based memory testing for hot-pluggable memory. What is provided is a method for a computer system to test physical memory devices. The system is divided into two separate areas of address space, with one or more physical memory devices being associated with a first area of system address space. The system is operated from the second area of system address space, allowing the memory locations associated with the first area of the system address space to be tested, the one or more

tested physical memory devices to be replaced with untested physical memory devices without dropping power to the system, and then testing the replacement devices by repeating the test cycle. The system thus operates without interruptions when replacing the physical memory devices for testing. (See, e.g., *Lin*, col. 2, lines 16-30)

Within this system, the Office Action identifies a system BIOS (*Lin*, Fig. 3, element 104) coupled with an ISA bus (*Lin*, Fig. 3, element 330) as a first device coupled with a first bus, and PCI test card (*Lin*, Fig. 3, element 114) coupled with a PCI bus (*Lin*, Fig. 3, element 308) as a second device coupled with a second bus, with the relevant standard being the PCI standard.

Lin provides that: "The disclosed system is distinguishable from the prior art in that the BIOS code has been modified such that after start-up, the PCI card 114 enables the memory power switch 116 to drop power only to the physical memory 108 such that it may be pulled from its memory slot 10 and replaced while the computer system is running, precluding the need to power down the system to replace the memory for testing. This is accomplished by not running the system BIOS code from the physical memory 108, but from PCI memory space using a coordinated effort of the system BIOS 104, cache memory 106, and the PCI card 114, which will be discussed in greater detail hereinbelow." (*Lin*, col. 3, line 59 to col. 4, line 3) Thus, in order to enable the memory testing method, the system BIOS is not run from physical memory, but from PCI memory space.

Assuming for the sake of argument that other elements of claim 1 are present, the operation of *Lin* does not provide any teaching or suggestion of data that is not operational with a device that is not compliant with a standard being associated with a

second device that is compliant with the standard, with the association of the second

device with the data from the first device enabling the data to be utilized according to the

standard. It is apparent that the BIOS is operational in the original location, and could

run on the system without the "association" of the memory to the PCI test card because

the data normally would be so operated. It is only in the case of a testing operation that

there is a reason to shift the location of the BIOS in memory, with the system BIOS being

run from a different memory space. Any association of the BIOS data to a PCI card is

intended for a difference purpose, and does not enable

Thus, it is submitted that all elements of claim 1 are not provided by *Lin*, and the

claim is thus allowable. It is submitted the above argument also applies to the other

independent claims, as amended herein, claims 9, 16, and 24. The remaining claims are

dependent claims and are allowable as being dependent on the allowable base claims.

Claim Rejection under 35 U.S.C. §103

Lin, et al. in view of Powderly, et al.

The Examiner rejected claim 22 under 35 U.S.C. § 103 (a) as being unpatentable

over *Lin* as applied to claim 16 in view of U.S. Patent Number 6,560,641 of Powderly, et

al. (hereinafter referred to as "*Powderly*").

In addition to any other differences, the rejected claim is allowable as being

dependent on the allowable base claim, as indicated above. *Powderly*, which relates to

emulation or remote control of a console of a host computer from another computer

remotely located on a network, does not teach or suggest the elements of the claims

missing from *Lin*.

Claim Rejection under 35 U.S.C. §103

Lin, et al. in view of Ma

The Examiner rejected claims 3, 12, 18, 27, and 31-34 under 35 U.S.C. § 103 (a) as being unpatentable over Lin and further in view of U.S Patent Publication 2004/0003297 of Ma (hereinafter referred to as "*Ma*").

In addition to any other differences, the rejected claims are allowable as being dependent on the allowable base claims, as indicated above. *Ma*, which describes an apparatus for PCI power management intended to allow the system to conditionally enable or disable PCI power management, does not teach or suggest the elements of the claims missing from *Lin*.

Conclusion

Applicant respectfully submits that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicant respectfully requests the rejections be withdrawn and the claims as amended be allowed.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (503) 439-8778 if there remains any issue with allowance of the case.

Request for an Extension of Time

The Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action should one be required. Please charge our Deposit Account No. 02-2666 for the necessary fee under 37 C.F.R. § 1.17 for such an extension.

Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 1/5/07

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